

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**Before the Honorable Kirtan Khalsa
United States Magistrate Judge**

Clerk's Minutes

United States of America v. \$145,000 in United States Currency

Civ. No. 18-782 JHR/KK

Friday, March 1, 2019 at 10:30 a.m.

PLAINTIFF'S ATTORNEY PRESENT:

Stephen R. Kotz

CLAIMANT'S ATTORNEY PRESENT:

Michael E. Cindrich

TYPE OF PROCEEDING: Telephone Status Conference
Total Time – 10 minutes

COURT'S NOTES/RULINGS:

- The Court held a telephonic status conference in the above-referenced case.
- In response to the Court's inquiry regarding the status of the case, Mr. Kotz indicated that the United States served discovery on Claimant in December, to which Claimant has not yet responded.
- Mr. Cindrich responded that Claimant intends to file a motion to suppress and a motion to stay discovery pending resolution of the motion to suppress, but that Claimant will be prepared to respond to the United States' discovery if the motion to stay is denied.
- The Court observed that this case has been pending since last August, discovery has been open since at least October, and the United States' discovery was served in December, but no motion to stay has been filed. The Court indicated that it will not stay discovery on an oral request.
- The Court noted that the parties have not yet consented or refused to consent to the assigned presiding Magistrate Judge. The Court stated that it will set a consent deadline for twenty-one days from today.
- The Court directed the parties to submit a proposed discovery schedule to the Court, or, in the alternative, Claimant to file his motion to stay discovery, within ten (10) days.